

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/673,942	LASSANSKE ET AL.	
	Examiner Tam Nguyen	Art Unit 3764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Interview on Monday, February 27, 2006.

2.  The allowed claim(s) is/are 1-7 and 18-22.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 1-23-04
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date 2-27-06.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew S. McConnell on February 27, 2006.

1. The application has been amended as follows:

Claims 8-17 are canceled.

In claim 1, line 2, delete "bicycle trainer, comprising" and insert --bicycle trainer, the system comprising--

In claim 1, line 4, delete "structure configured to engage the non-driven wheel of the bicycle" and insert --structure defining at least one recess configured to receive a bicycle wheel--

In claim 1, line 7, delete "for engagement in a first orientation and in" insert --for engagement together in a first orientation and--

In claim 18, delete the entire claim and insert

--18. A support arrangement for use in stationarily supporting a non-driven wheel of a bicycle wherein the bicycle includes a driven wheel engaged with a bicycle trainer, the support arrangement comprising:

a first support member having a base configured to rest on a supporting surface and a bicycle wheel engagement structure defining at least one recess for receiving a bicycle wheel located above the base such that the first support member is adapted for use by placing the base on the

supporting surface so that the bicycle wheel engagement structure is located at a first elevation above the supporting surface; and

a second support member, having a similar configuration, that includes a base and a bicycle wheel engagement structure defining at least one recess for receiving a bicycle wheel located above the base;

wherein the second support member is positioned between the supporting surface and the first support member for positioning the wheel engagement structure of the first support member at a second elevation, greater than the first elevation, above the supporting surface; and

the first and second support members are configured to securely engage each other in a plurality of different support configurations in which the second support member is located between the supporting surface and the first support member such that each of the configurations is operable to position the wheel engagement structure of the first support member at different elevations, relative to the supporting surface.--

In claim 19, delete line 1 and insert --19. The support arrangement of claim 18, wherein the base of each support member defines a hollow--

In claim 19, on each of lines 2, 4 and 5, delete “first-mentioned” and insert -- first--

In claim 19, line 3, delete “the hollow interior” and insert --a hollow interior--

In claim 20, on line 1, delete “The support member” and insert --The support arrangement--

In claim 20, on line 4, delete “first-mentioned” and insert --first--

In claim 21, delete lines 1 and 2 and insert --21. The support arrangement of claim 18, wherein each of the support members further comprise non-nesting stacking support structure, and the non-nesting stacking support structure of the second support member engages the base of the--

Art Unit: 3764

In claim 21, on each of lines 3 and 6, delete “first-mentioned” and insert --first--

In claim 21, on line 5, delete “alignment with” and insert --alignment on--

In claim 22, on line 1, delete “The support member” and insert --The support arrangement--

In claim 22, on lines 2, 4 and 5, delete “first-mentioned” and insert --first--

In claim 22, on line 2, delete “comprises” and insert --comprise--

In claim 22, on line 5, after “walls” insert --of the second support member--

In claim 22, on line 6, delete “alignment with” and insert --alignment on--

## **REASONS FOR ALLOWANCE**

2. The following is an examiner’s statement of reasons for allowance:

In view of the amendments and after further consideration of the invention, the claims as presented avoid the prior art of record. The prior art does not disclose a system for supporting a non-driven wheel of a stationary bicycle wherein the system comprises a first support member and a second support member that are identical and configured for engagement to each other in a plurality of orientations to position a wheel of a bicycle at various elevations relative to a support surface. In particular, the first support member includes a wheel engagement structure having at least one recess configured to receive a wheel of a bicycle, and the first support member is configured to rest on a support surface to position the recess at a first elevation. The first and second support members are configured for engagement to each other in a first orientation, a second orientation and a third orientation wherein each orientation is different from each other such that the wheel engagement structure of the first support member can support a bicycle wheel at three different elevations that are different from the first elevation. Thus, a person can use the support members alone to support a bicycle wheel at one elevation or the person can

combine two support members together in different orientations to support a bicycle wheel at three additional elevations, each different from each other, relative to the support surface.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

) 3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mackert '290 discloses a wheel support having multiple grooves to support a wheel at three different heights, but Mackert does not disclose that the support can be engaged with other supports to provide additional heights.

Graham discloses a wheel support structure having components that may be added to change the height of the wheel support.

Bredal et al. disclose a structure having recesses that are arguably capable of receiving a bicycle wheel but Bredal does not disclose that the structures can be engaged in various orientations to provide various heights for the "bicycle wheel receiving recesses."

Albrecht discloses a structure having recesses that are arguably capable of receiving a bicycle wheel but Albrecht does not disclose that the structures can be engaged in various orientations to provide various heights for the "bicycle wheel receiving recesses."

McGuiness et al. '657, Kral '986, Gladden, III '818, Ueda '534, Morasse '067 and Airmet et al. are representative of the prior art that disclose stationary wheel supports.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 571-272-4979. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on 571-272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 28, 2006

\*\*\*



STEPHEN R. CROW  
PRIMARY EXAMINER  
ART UNIT 332